



06-08-07

18W

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|------------------------|------------------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/516,768-Conf. #2832 |
| | Filing Date | December 3, 2004 |
| | First Named Inventor | Naoto Minamino |
| | Art Unit | 1647 |
| | Examiner Name | R. M. Deberry |
| Total Number of Pages in This Submission | Attorney Docket Number | 62273(71526) |

| ENCLOSURES (Check all that apply) | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <div>Remarks</div> | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|-----------------------------------|----------|--------|
| Firm Name | EDWARDS ANGELL PALMER & DODGE LLP | | |
| Signature | <i>Christine C. O'Day</i> | | |
| Printed name | Christine C. O'Day | | |
| Date | June 7, 2007 | Reg. No. | 38,256 |

| | |
|--|---|
| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EM 054 388 402 US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 | |
| Dated: June 7, 2007 | Signature: <i>Elisabeth Dunkle</i> (Elisabeth Dunkle) |

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EM 054 388 402 US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: June 7, 2007

Signature:

Elisabeth Dunkle
(Elisabeth Dunkle)

Docket No.: 62273(71526)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Naoto Minamino et al.

Application No.: 10/516,768

Confirmation No.: 2832

Filed: December 3, 2004

Art Unit: 1647

For: NOVEL PEPTIDES HAVING cAMP
PRODUCING ACTIVITY

Examiner: R. M. Deberry

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed May 15, 2007, Applicant hereby provisionally elects for continued examination the subject matter of Group I, directed to elects claims 1-11, as that Group is further defined in the Office Action.

Additionally, Applicant elects SEQ ID NO: 1 and SEQ ID NO: 3 as the species to which the claims will be restricted if no generic claim is finally held to be allowable. Presently, claims 3 and 6 of the elected Group I are readable on the elected species.

The afore-mentioned elections are being made solely to comply with, and be fully responsive to, the restriction requirement set forth in the Office Action. The right to file one or more divisional applications on non-elected subject matter is reserved.

Additionally, Applicant reserves the right to pursue rejoinder of withdrawn process claims that depend from or otherwise include all the limitations of an allowable product claim.

Dated: June 7, 2007

Respectfully submitted,

By Christine C. O'Day

Christine C. O'Day

Registration No.: 38,256

EDWARDS ANGELL PALMER & DODGE LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorneys/Agents For Applicant